

APPENDIX G

Public Participation Documentation

Oral statements will be heard, but for the accuracy of the record, statements should be submitted in writing. Written statements may be submitted to the attendant designated to receive written comments at the public hearing.

IDEM will also accept written comments through March 11, 2008. Mailed comments should be addressed to:

**Lake and Porter Counties Fine Particulate Matter (PM_{2.5})
Redesignation Petition and Maintenance Plan**
Scott Deloney, Chief
Programs Branch
Office of Air Quality MC 61-50
100 North Senate Avenue
Indiana Department of Environmental Management
Indianapolis, IN 46206-2251

A transcript of the hearing and all written submissions provided at the public hearing shall be open to public inspection at IDEM and copies may be made available to any person upon payment of reproduction costs. Any person heard or represented at the hearing or requesting notice shall be given written notice of actions resulting from the hearing.

For additional information contact Ms. Pat Daniel, at the Indiana Department of Environmental Management, Air Programs Branch, Office of Air Quality, Room 1001, Indiana Government Center North, 100 North Senate Avenue, Indianapolis or call (317) 233-0429 or (800) 451-6027 ext. 3-0429 (in Indiana).

Individuals requiring reasonable accommodations for participation in this hearing should contact the IDEM Americans with Disabilities Act (ADA) coordinator at:

Attn: ADA Coordinator
Indiana Department of Environmental Management – Mail Code 50-10
100 North Senate Avenue
Indianapolis, IN 46204-2251

Or call (317) 233-1785 (voice) or (317) 232-6565 (TDD). Please provide a minimum of 72 hours notification.

COMPUTATION OF CHARGES

73.00

2

146.00

lines, columns wide equals equivalent

lines at3290..... cents per line

\$ 48.03

Additional charge for notices containing rule or tabular work
(50 percent of above amount)Charge for extra proofs of publication
(\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 48.03

DATA FOR COMPUTING COST

Width of single column 6.8 ems

Size of type 5.5 point

Number of insertions ..1.....

Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid

Date 28 20 08

PT 332

1:28

LEGAL NOTICE OF PUBLIC HEARING

Redesignation Petition and Maintenance Plan

In association with the Annual Standard for Fine Particulate Matter (PM2.5)

Lake and Porter Counties, Indiana

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on February 27, 2008. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in Association with the Annual Standard for Fine Particulate Matter (PM2.5), for Lake and Porter Counties, Indiana. The meeting will convene at 6:00 p.m. (local time) in the Multi-Purpose Room #C125, at Ivy Tech Community College - Gary Campus, located at 1440 East 35th Avenue, Gary, Indiana. The Multi-Purpose Room is located in the lower level of the Business, Science and Administration building. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

This Redesignation Petition and Maintenance Plan is being drafted and submitted consistent with United States Environmental Protection Agency (U.S. EPA) guidance. Copies of the draft documents will be available on or before January 28, 2008 to any person upon request and at the following locations:

- Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, 100 North Senate, Room N1003, Indianapolis, Indiana.
- Indiana Department of Environmental Management, Northwest Regional Office, 8315 Virginia Street, Suite 1, Merrillville, Indiana.
- Crown Point Community Library, 214 South Court Street, Crown Point, Indiana.
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Title CREDIT MANAGER

PUBLISHER'S AFFIDAVIT

State of Indiana)
Lake County) SS

Personally appeared before me a notary public in and for said county and state, the

MARIBEL DELBREY

undersigned who

being duly sworn, says that he/she is LEGAL CLERK

of the POST-TRIBUNE a DAILY

newspaper of general circulation printed and published in the English language in the city of

MERRILLVILLE

..... in state and county

aforesaid, and that the printed matter attached hereto is a true copy, which was duly published

in said paper for 1 time the dates of publication being as follows:

REDESIGNATION PETITION

1/28

Subscribed and sworn to before me this 30th day of January, 20 08

Notary Public

My commission expires May 11, 2008

IND DEPT OF ENVIRONMENTAL MGMT

MARION COUNTY, INDIANA

To: INDIANAPOLIS NEWSPAPERS
307 N PENNSYLVANIA ST - PO BOX 145
INDIANAPOLIS, IN 46206-0145

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter - (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set). Number of equivalent lines

Head - Number of lines

Body - Number of lines

Tail - Number of lines

Total number of lines in notice

**COMPUTATION OF CHARGES**

135.0 lines 1.0 columns wide equals 135.0 equivalent

lines at .393 cents per line

Additional charge for notices containing rule and figure work (50 per cent of above amount)

Charges for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM**DATA FOR COMPUTING COST**

Width of single column 7.83 ems Size of type 5.7 point

Number of insertions 1.0

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

DATE: 01/28/2008

81956-5111344

Karen Mullins
Clerk
Title

PUBLISHER'S AFFIDAVIT

State of Indiana SS:
MARION County

Personally appeared before me, a notary public in and for said county and state, the undersigned **Karen Mullins** who, being duly sworn, says that SHE is clerk of the INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), between the dates of:

01/28/2008 and 01/28/2008

Karen Mullins
Clerk
Title

Subscribed and sworn to before me on 01/28/2008

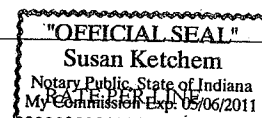
Susan Ketchem
Notary Public

Form 65-REV 1-88

My commission expires: _____

STATE PRESCRIBED FORMULA

7.83 PICA COLUMN - 94 POINT
94 POINTS / 5.7 PT. TYPE - 16.49
16.49 EMS / 250 - .06596 SQUARES
.06596 SQUARES x \$5.14 - .339 CENTS PER LINE



PUBLISHED 1 TIME = .339
PUBLISHED 2 TIMES = .509
PUBLISHED 3 TIMES = .679
PUBLISHED 4 TIMES = .848

PUBLISHER'S AFFIDAVIT

State of Indiana SS:
MARION County

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and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 1 time(s), between the dates of:

01/28/2008 and 01/28/2008

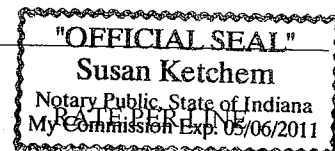
Karen Mullins

Subscribed and sworn to before me on 01/28/2008

Susan Ketchem
Notary Public

Form 65-REV 1-88

My commission expires:



PUBLISHED 1 TIME = .339
PUBLISHED 2 TIMES = .50
PUBLISHED 3 TIMES = .67
PUBLISHED 4 TIMES = .84

PUBLIC NOTICES**LEGAL NOTICE
OF PUBLIC HEARING**

Redesignation Petition and Maintenance Plan
In association with the Annual Standard for Fine Particulate Matter (PM_{2.5})
Lake and Porter Counties, Indiana

Notice is hereby given under 40 CFR 51.102 that the Indiana Department of Environmental Management (IDEM) will hold a public hearing on February 27, 2008. The purpose of this hearing is to receive public comment on the Draft Redesignation Petition and Maintenance Plan in Association with the Annual Standard for Fine Particulate Matter (PM_{2.5}), for Lake and Porter Counties, Indiana. The meeting will convene at 6:00 p.m. (local time) in the Multi-Purpose Room #C125, at Ivy Tech Community College - Gary Campus, located at 1440 East 35th Avenue, Gary, Indiana. The Multi-Purpose Room is located in the lower level of the Business, Science and Administration building. All interested persons are invited and will be given opportunity to express their views concerning the draft documents.

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Lake and Porter Counties Fine Particulate Matter (PM_{2.5}) Redesignation Petition and Maintenance Plan

Scott Deloney, Chief Programs Branch

Office of Air Quality MC 61-50
100 North Senate Avenue

Indiana Department of Environmental Management
Indianapolis, IN 46206-2251

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Attn: ADA Coordinator
Indiana Department of Environmental Management -

Mail Code 50-10
100 North Senate Avenue

Indianapolis, IN 46204-2251
Or call (317) 233-1785 (voice)

or (317) 232-6565 (TDD).
Please provide a minimum of 72 hours notification.

(S-01/28/08-5111344)

SED FORMULA

IN - 94 POINT

T. TYPE - 16.49

.06596 SQUARES

x \$5.14 - .339 CENTS PER LINE

1000
 (Governmental Unit)
Lake County, Indiana

To: Northwest Indiana Newspapers
601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

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COMPUTATION OF CHARGES

146 lines 1 columns wide equals 146 equivalent lines at 29.8 cents per line

\$ 41.72

Additional charge for notices containing rule or tabular work

online

(50 percent of above amount)

10.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 51.72

20047219

DATA FOR COMPUTING COST

Width of single column 6.4 ems

Number of insertions 1

Size of type 8.5 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Jan 28, 2008

Title: Legal Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Lake County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Burt Stephens who, being duly sworn, says that he is Legal Clerk of the TIMES newspaper of general circulation printed and published in the English language in the (city) (town) of Munster in the state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

January 28, 2008

Subscribed and sworn to before me this 28 day of Jan, 2008

My commission expires: June 13, 2015

Jennifer C. Meloy
 Notary Public

(Governmental Unit)

Lake County, Indiana

To: Northwest Indiana Newspapers

601-45th Avenue, Munster, IN 46321

LEGAL NOTICE OF PUBLIC HEARING

Redesignation Petition and Maintenance Plan
In association with the Annual Standard for Fine Particulate Matter (PM2.5)
Lake and Porter Counties, Indiana

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18, 2008

Title: Legal Clerk

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) ss:
Lake County)

Personally appeared before me, a notary public in and for said county and state,
the undersigned Kurt Stephens who, being duly sworn, says that he is
Legal Clerk of the TIMES newspaper of general circulation
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1/28 - 20047219

6/26/108
3/18/108

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC HEARING ATTENDANCE RECORD

Title of Public Hearing: FINE PARTICLES REDESIGNATION/LOCATION: 10Y TECH - GARY Date: 2/27/08
LAKE + PORTER COUNTIES

Please print all the information:

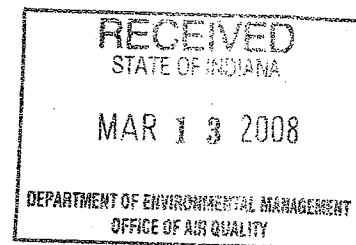
NAME	ORGANIZATION/ COMPANY	PHONE NUMBER	ADDRESS
Tim Averack	ISS GARY	219 888 3387	1 N. Broadway Gary
WAMMINGTON	EQM	219 888 3011	1 N. Broadway Gary
LISA GEORGE	Gary resident	" 938-5385	719 N. Hancock Gary
Clark Strimbu	NiSource	219-647-5269	801 E. 86th Ave. Merrillville IN 46410
Christie Leggett	Post-Tension	"	
Matt Coleman	Oppen Bros. Resident	219 510-7092	a Locust Place Oppen Dune IN 46368
Doreen Carey	City of Gary	219 882 3000	839 Broadway N 206 Gary 46402
Lyndie Treutrick	Gary resident		8001 Leife Street Dr. Apt A Gary 46403
KASHA KIRULIS	Gary resident	219-938-0944	819 N. Vigo St. Gary 46403
KAREN KROZAK		219 836 1857	8212 Madison Ave Muncie IN 46324

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Under 40CFR 51.102

A PUBLIC HEARING ON THE MATTER OF
REDESIGNATION PETITION and MAINTENANCE PLAN
IN ASSOCIATION WITH THE ANNUAL STANDARD FOR FINE
PARTICULATE MATTER (PM2.5)

REPORT OF PUBLIC HEARING had in the
above-entitled matter, taken at Ivy Tech Community
College, Gary Campus, 1440 East 35th Avenue, Gary,
Indiana, on February 27, 2008, commencing at 6:00
o'clock in the evening.



SEIDEL & SASSE
COURT REPORTERS, INC.
150 W. Lincolnway, Suite 1005
Valparaiso, IN 46383
219.462.3436

PAT DANIEL: Good evening everyone. We can go ahead and get started.

This is a public hearing to solely accept comments concerning the draft redesignation petition and maintenance plan in association with the annual fine particulate matter standard for Lake and Porter Counties. This hearing is being held to conform to the provisions in 40 CFR Part 51 regarding public hearings for state implementation plan submittals.

My name is Pat Daniel. I'm a senior environmental manager in the planning section of the Indiana Department of Environmental Management, Office of Air Quality. I have been appointed to act as hearing officer for this public hearing. Also, here with me from the Office of Air Quality is Scott Deloney. He is the chief of the programs branch, also in the Office of Air Quality.

Notice of the time and place of the hearing was given, as provided by law, by publication in the following newspapers: The Indianapolis Star, Indianapolis, Indiana; The Times, Munster, Indiana; the Post-Tribune, Merrillville, Indiana.

The purpose of this hearing is to provide interested persons an opportunity to offer comments to the state regarding the draft redesignation petition and

maintenance plan for Lake and Porter Counties.

Appearance blanks have been distributed in the hearing room for all those desiring to be shown appearing on record in this cause. If you have not already filled out the form, please do so and indicate if you are appearing for yourself or on behalf of a group or organization, and identify such group or organization. Also, note the capacity in which you appear; such as attorney, officer or authorized spokesperson. Any person who is heard or represented at this hearing or who requests notice may be given written notice of the final action taken on this state implementation plan submittal. Please indicate on the appearance card if you wish to receive this notification. When appearance cards have been completed, they should be handed to me, and I will include them in the official record of this proceeding. Oral statements will be heard, but written statements may be handed to me or mailed to the Office of Air Quality on or before close of business on March 11th, 2008.

A written transcript of this hearing is being made. The transcript will be open for public inspection, and a copy of the transcript will be made available to any person upon payment of the copying cost. After the conclusion of this public hearing, I

will prepare a written report summarizing the comments received at this hearing and recommending changes which may need to be made to the document.

I would like to introduce the following documents into the record: the notice of the public hearing, a draft copy of the request for redesignation petition and maintenance plan for ozone attainment - not ozone, I'm sorry - for fine particle attainment in the fine particle nonattainment area, Lake and Porter Counties, supplement to Appendix A, 2007 monitoring data technical support documentation.

Finally, I would like to briefly go over the contents of the draft document. The most recent design value for the area, based on 2005 through 2007 data, is 14.5 micrograms per cubic meter. This design value represents fine particle concentrations that are below the national ambient air quality standard, thus the area is eligible to be redesignated to attainment under the annual fine particle standard and classified as maintenance.

A maintenance classification requires that the state ensure that air quality is maintained. This means that total emissions contributing to fine particle concentrations cannot increase over time and that the state maintain a permitting program that helps ensure

that no backsliding occurs. The Indiana Department of Environmental Management has prepared the draft redesignation and maintenance plan for Lake and Porter Counties consistent with U.S. EPA guidance. The draft petition outlines a demonstration that the area has attained the standard based on monitored concentrations and that the reductions in monitored concentrations are attributable to permanent and enforceable reductions in precursor emissions, specifically reductions of oxides of nitrogen.

Furthermore, the draft maintenance plan outlines the following: Lake and Porter Counties do not significantly contribute to violations outside its portion of the nonattainment area; redesignating the area to attainment will not adversely affect any downwind area's ability to attain the standard; regional precursor emissions of oxides of nitrogen and sulfur dioxide will continue to decline in the future; due to existing and future emission controls, the area's air quality is not projected to worsen, and should improve further over time; a commitment for all existing emission control programs to remain in place; a commitment to revise the plan within eight years of implementation of redesignation; a commitment to adopt and expeditiously implement necessary corrective actions

if a warning or action level response is triggered - an action level response is triggered by a violation of the standard 3-year average of 15.1 micrograms per cubic meter occurs; a mobile source budget for transportation conformity budget.

And if I could back up just for a few minutes, in 1997, the U.S. EPA, United States Environmental Protection Agency, set daily and annual standards, ambient air quality standards for fine particles at 15 micrograms per cubic meter on an annual basis, and at 65 micrograms per cubic meter on a 24-hour or daily basis. Legal challenges to the new standards for fine particles resulted in delayed implementation of the standard until February 2001 when the Supreme Court upheld the standards and ruled that the U.S. EPA could proceed with implementation of the new standards. Indiana began monitoring for fine particles in 1999. The U.S. EPA originally designated Lake and Porter Counties under the fine particle standards based on 2001 through 2003 monitoring data in December 2004. The U.S. EPA -- U.S. EPA designated areas throughout the country as attainment, nonattainment or unclassifiable. Lake and Porter Counties were designated nonattainment as part of the Chicago nonattainment area. However, the U.S. EPA withdrew a number of counties identified as

nonattainment based on updated monitoring data for 2002 through 2004 prior to the effective date of designations, which was April 5th, 2005, based on the fact that those counties had met the standard at the close of 2004.

Although the 2001 through 2003 design value for the East Chicago monitoring site in Lake County resulted in a nonattainment designation for Lake and Porter Counties, the 2002 through 2004 monitored design values for all monitoring sites in both Lake and Porter Counties demonstrated attainment at the close of 2004, and the State of Indiana requested that the counties be classified in accordance with measured air quality. The U.S. EPA proceeded with a nonattainment designation for Lake and Porter Counties. Since being designated nonattainment, Lake and Porter County -- Counties have continued to record three years of quality assured ambient air quality monitoring data for the years 2003 through 2005, and 2004 through 2006 and now, 2005 through 2007, which demonstrates a continued compliance with the annual fine particle standard.

This concludes my comments regarding the draft redesignation petition and maintenance plan for Lake and Porter Counties.

Before opening this hearing for public

comments, may I once again remind you that this hearing pertains solely to the draft redesignation petition and maintenance plan in association with the annual fine particle standard for Lake and Porter Counties, and only comments germane to this matter will be considered as part of the public record. Scott and I will be available following this hearing to address any questions you may have that do not pertain to this specific matter.

This hearing is now open for public -- for public comment.

SCOTT DELONEY: I do have four cards from individuals that indicate that they would like to speak tonight. If during this portion of the hearing, now that it is open for public comment, someone else decides that they wish to speak, you're welcome to fill out a card and deliver it at any time before the hearing is closed, and Pat will make it very clear before the hearing is, in fact, closed. Due to time constraints, the first individual that I'm going to call is Karen -- is it Kroczek?

KAREN KROCZEK: Correct. Thank you.

SCOTT DELONEY: Great. If you wouldn't mind coming forward just a little bit to make sure that the recorder properly records your comments into the public

record.

KAREN KROCZEK: Scott, Pat, ladies and gentlemen, I come to you this evening without the depth of research on this topic of redesignation that I would like to be able to bring with me, but I have had a personal matter, a close relative who is terminal, and so I've been dealing with things.

I really appreciate your willingness to come here and listen to the public comments on this matter. I think it's an extremely important concern to many of us. The mission of IDEM is to encourage and aid businesses and citizens in protecting and improving Indiana's environment. I would, therefore, ask how permitting the emission of larger quantities of toxic soot could accomplish this mission. If EPA grants your request to increase the amount of emissions, is this likely to support an improvement in protecting and improving Indiana environment?

In searching for information regarding -- regarding soot, I found an article from Argonne National Laboratory, until recently, my employer, where an APS research group describes a new technology, new in 2003, that allows examination of the nano particles that make up soot while it's still in a nano state, which is, of course, way too small for U.S. Steel to see it D L4

seem. The DOE facility, Argonne, warns of health, environmental and aesthetic risks of soot. Soot particles are created when hydrocarbons are not completely burned. That is, there's incomplete combustion of hydrocarbons. In commercial applications, this is often referred to as carbon black. Soot creates health problems and may contribute to thousands of premature deaths each year, according to the United States Environmental Protection Agency.

Soot begins with the chemical growth of large benzene-based hydrocarbons, and anybody who deals with chemicals knows benzene is not something you want to play with. It's a complex particle. Anyway, it aggregates and merges from .5 nanometers up to 20 to 50 nanometers in diameter, at which time it coagulates and starts causing real problems. The smaller the particle size, the more dangerous it is, because it actually gets into our lungs and into our bloodstream.

Health effects that are noted by Argonne from soot, particularly fine particles, include increased respiratory symptoms, such as irritation of the airways, coughing or difficulties with breathing, decreased lung function, aggravated asthma, development of chronic bronchitis, irregular heartbeat, nonfatal heart attacks and premature death in people who have heart -- who have

lung disease. People with heart or lung disease and children and older adults are most likely to be affected by particle pollution exposure. However, even if you're healthy, you may experience temporary symptoms from exposure to elevated levels of fine particle pollution. I brought the Argonne report with me, and I will submit that as part of written comment.

In terms of environmental damage, Argonne notes that the haze that is caused by soot overlays many of our cities and affects even our pristine national parks. Additionally, it contributes to acidity in lakes and streams, negative nutrient balance in coastal waters and large river basins. It depletes soil nutrients, damages sensitive forests and farm crops and affects the diversity of ecosystems. It also eats up our monuments and statues because of the acidity. Does this sound like something we would -- that we would encourage in order to assist the citizens and the businesses of Northwest Indiana and improving our Indiana environment?

The issue, however, before us is not particle size, and I realize that IDEM is very good at measuring particle size and reporting out, and I'm not really being critical of IDEM in here. I think the real question to be addressed here is why would we violate the spirit of the Clean Water Act? We're not supposed

to maintain; we're supposed to get better at this on a continuing basis. And in my relationship with IDEM workers in the past, I have found them very supportive of the idea that we should get cleaner; we should provide a better environment for our children and for ourselves.

Successful businesses, in my experience, especially when they are in an environment where penalties are levied and exercised for squandering the public resources of water, air and soil, successful businesses push hard to manage waste, both for the sake of their bottom line; wasting is -- is not making good use of your resources, and also, that for the preservation of that which makes commerce possible. Squandering your resources, whether they're people or your environment, and you are going to screw up your business in the long term. To increase the level of pollution of soot -- of soot is to permit -- to promote inefficiency in the face of existing technologies that allows complete combustion, and it's also postponing the day of reckoning for legacy waste cleanup. Have we not learned anything from the clean -- cleanup of U.S. Steel's channel? Pay me now or pay me later, but if you pay me later, you're going to have to pay more, and it's our grandchildren that we will be paying this bill. And

in the meantime, your children and mine, and my grandchildren will be breathing air that is purposefully dirtier than it needs to be.

Please, listen to your public. Do the right thing. Establish and enforce laws and regulations that promote parsimony, good stewardship, health, wealth and competitiveness. Indiana is part of the rust belt. I'm very concerned about jobs. But if I were a green employer, I would not want to come near a place that is belching soot, and polluting the water, and leading to a general degradation of our environment. Indiana can be green, and both her environment and her economy can thrive.

Thank you very much.

SCOTT DELONEY: Thank you. If I understood, Ms. Kroczeck, you did have written comments that you wanted to be part of the record, too; is that correct?

KAREN KROCZEK: I do.

SCOTT DELONEY: All right. Next person, Mark Coleman.

MARK COLEMAN: I'll just go ahead and stand up and talk so everybody can hear.

My name's Mark Coleman. I live in Ogden Dunes, Porter County, Indiana. I've been a resident for ten years in Northwest Indiana, and I am speaking

against the designation or redesignating Lake and Porter County to attainment status. It is unreasonable and illogical to designate Lake and Porter Counties in attainment. Just a few short months ago, our area was designated as the worst and most unhealthy place to live by at least two national -- nationally distributed magazines. This is the world's perception of our area.

The methods the state uses to determine attainment are flawed. The Congress of the United States has already spoken out unanimously against Indiana's flawed environmental policies. They voted 387 to 26 for a resolution to stop a permit issued by the state to BP for which would -- a permit which would allow more pollution into Lake Michigan. Studies show that states with stronger environmental policies consistently outperform the weaker environmental states on all economic measures. This is the conclusion of Professor Steven Meyer of MIT. Another study was done by the Southern Studies in North Carolina, and they determined that states with the best environmental records also offer the best job opportunities in climate for long-term economic development.

It -- it appears the reason that you want to redesignate Lake and Porter Counties to attainment status is to, according to the newspapers, make it okay

for expanding businesses and new businesses to add more pollution to our -- our already polluted air. And this -- this is a flawed logic. If the only reason to change the designation is to open the door for more pollution, it makes more sense just to keep the nonattainment status intact and then make sure that no more pollution comes in. I mean what we need to do is attract clean industry.

There's -- I went to the auto show, and I talked to one of the representatives -- representatives there, and he said that the only reason that fuel sales technology hasn't been widely distributed is because the oil lobbyists are preventing the technology from being widely distributed, and the biggest expansion that we're talking about in Northwest Indiana is going to be the -- the BP expansion. They want to increase their pollution, as far as we know, 40 percent more, you know, even before they begin operations, so they're telling us they want to put 40 percent more pollution into our already brown skies. There's other industries we can develop here that will provide just as good of jobs for a far longer period of time. We need sustainable -- a need a sustainable economy; we need a sustainable environment. They have to work holistically together, and the only way we're going to get there is if we start

heading that way now. We can't wait 50 years down the road. We have to start now. In 50 years, we'll be doing great if we start now, so that's what we have to do.

And that's all I have to say. Thanks.

SCOTT DELONEY: Thank you, Mr. Coleman.

The next individual I have is Ms. Lisa George?

LISA GEORGE: Hi. I'm representing all the people that breathe in Lake and Porter County. Just a few things. I don't understand why, and the -- hopefully, somebody from IDEM can answer the question: Why do we need to redesignate to pollute more? Why couldn't we just shift the amount of pollution? If you want new companies to come in and to be able to pollute, why can't you take some of the allocation that you have from U.S. Steel and other polluters, or even smaller companies, reduce the amount that they can pollute so that the new businesses can pollute? That's my question.

SCOTT DELONEY: I'd be more than happy to answer that. What I would like to do is defer back to the opening remarks that Pat had made with regard to what does it mean to be classified as maintenance. Basically, the state implementation plan that we have on

public notice right now that we are soliciting comments for is a document of two main components. The first component is a demonstration showing that since 2003, measured air quality, based on the Federal Health Based Standard for fine particles has been complied by all monitors measuring fine particle concentrations within both Lake and Porter Counties. And that's based on that fact that the area's eligible for its air quality status to be recognized for measuring air quality that meets that standard. In other words, consistent with all other counties in the country that measure air quality that meets the standard, we would like for Lake and Porter Counties to be recognized the same way.

The second component is what's referred to as a maintenance plan, okay? So we refer to being redesignated from nonattainment to attainment and classified to maintenance. What being classified as maintenance means is that the state actually has an obligation, under the Clean Air Act, to ensure that air quality is maintained. The state, by federal approval of its plan, is obligated by law to ensure that we do not re-violate the air quality standard. We have to ensure that there's no backsliding with regard to measured air quality, and the precursor emissions that contribute to fine particle concentrations cannot

increase over time. So in all of the actions that the department does within the Office of Air Quality by approving a maintenance plan, we are locking ourselves into a contract with the federal government that prohibits us from allowing emissions to grow over time, next year, the year, after all the way out to the year 2020.

Eight years from now, we are required by law to update that plan and to extend that horizon for ten more years. Eight years from now, we will be in -- we would be in Lake County again, basically committing to take the same action all the way out to the year 2030. So actually, being redesignated to attainment and classified as maintenance really does provide the same limitations with regard to growth in emissions or worsening in air quality that being designated nonattainment does. One of the key differences that I'd like to point out is, is that being designated nonattainment right now, if we measure air quality that doesn't meet the standard today, we aren't committed to taking any sort of action. As a maintenance area, if we're redesignated and classified as maintenance, if we violate the standard this year, we are committed under -- by federal law, by approving that maintenance plan, to take swift action in order to reverse that

trend and address it with whatever action is necessary at the state level to ensure that air quality is reattained as expeditiously as practicable. That means that we can't drag our feet.

So in reality, a maintenance classification provides much greater obligation to the State of Indiana to ensure that air quality is not just protected, but that all action is taken to ensure that it's maintained over time. In this instance, the plan that we have presented is to ensure that it's maintained all the way to the year 2020. Within this plan, we also commit eight years from now to extend that horizon to ensure that it's protected all the way to the year 2030.

Does that help at all?

LISA GEORGE: So what you're saying is the level of pollution will not get any worse than it is right today, is what you're saying?

SCOTT DELONEY: That is what we are committing to as part of our plan; that is correct. And I don't want to get overly technical, so if anybody wants a more detailed explanation, we're here as long as you would like for us to stay here this evening, but one of the things that we're required to do as part of this plan is establish a base here. We established the year 2005, because at the time that this was originally

drafted, 2006 was the most recent complete monitoring year complete. That meant that the three-year average at the close of 2006 was 2004 through 2006. The year straddled in the middle is 2005. So if we're going to compare what air quality was like to the time period in which we measured air quality, we chose 2005 as being the representative year, because it was in the center of the period in which -- most recent period in which we measured air quality that met the standard. So we compare 2005 with previous years to determine this improvement in air quality; is it due to decreased emissions. We made that determination. Then when we're looking at are we going to be able to continue maintenance, we compare 2005 with 2010, and we compare it with 2020 to take a look at a snapshot in time are we going to be on this same path as we proceed down the road. And we did, in fact, make that determination. We also demonstrated that that would, in fact, occur based on chemical modeling that's done in conjunction with our neighboring states with the Lake Michigan Air Directors Consortium.

Now, every year we develop an emissions inventory and we collect emissions from all permitted sources within the state. That is our way of tracking are we maintaining this course. Then once every three

years, we develop a comprehensive emissions inventory based on data associated with our permitted entities as well as for mobile sources, automobiles, trucks; off-road sources like agricultural equipment; railroads; biogenic emissions that are emitted naturally from trees, and plants and other vegetation. That comprehensive inventory, we're obligated to develop and commit to the U.S. EPA for review and approval once every three years. Once that's complete, we're comparing it to the previous three years to determine have we seen any sort of increase that would trigger our maintenance plan to take any sort of action to make sure that what we're committing to is maintained.

So yes, in short, the answer to your question is, yes, we -- we are obligated to ensure that increased pollution associated with fine particles does not occur.

LISA GEORGE: So it wouldn't get any worse.

SCOTT DELONEY: Correct.

LISA GEORGE: Okay.

SCOTT DELONEY: And the demonstration that we have made is that it will be even better, because the improvements that we have seen today are based on control measures that have been implemented today. Some of the biggest control measures to ever be implemented to address soot, fine particles, particulate matter

actually kick in beginning next year. That's the Clean Air Interstate Rule that affects all midwest states and a number of states to the east and northeast. That is going to substantially decrease emissions from coke and major coal combustion sources that contribute to fine particle concentrations. So one of the largest improvements in fine particles across the midwest that we're going to be seeing are going to come from this Clean Air Interstate Rule, which the effective date of that is January of 2009. So not only are we already measuring air quality that meets the standard; some of the biggest control measures to be implemented to further address fine particles kick in in the near future, so we are going to see even further improvements over time. That's reflected in modeling that the U.S. EPA did, association -- associated with their rules, and it is also reflected in the modeling that we have conducted in conjunction with our neighboring states.

LISA GEORGE: And if you do not -- if it is not redesignated as attainment status, the pollution won't get -- I mean there won't be less pollution? Why -- why the change? I mean if it's been getting better, why do you have to change the designation?

SCOTT DELONEY: The reason that the designation is -- is it an absolute necessity to

redesignate the area? No. But the state has to submit a state implementation plan to the U.S. EPA in conjunction with its designation as a nonattainment area. We have two choices. We either submit a demonstration as to how the area is going to attain the standard by its deadline, or we submit a SIP demonstrating that it's already complied with the standard based on measured air quality. Well, it doesn't make a lot of sense for us to submit a state implementation plan to EPA to comply with the Clean Air Act mandate that is theoretical in nature that says, well, this is how we're going to meet the standard when we already have measured air quality that demonstrates we've met the standard. So we have to decide which path are we going to take in order to submit a SIP within three years of the designation that demonstrates that the area will comply with the standard that it's been in compliance with since 2003. So this is the form of the state implementation plan that we decided to submit.

LISA GEORGE: Thank you.

SCOTT DELONEY: You're welcome.

LISA GEORGE: Who does the testing?

SCOTT DELONEY: The Department of Environmental Management conducts the air quality monitoring for the area; however, that is overseen by

the United States Environmental Protection Agency.

Ma'am, did you have something that was pressing?

KARIN KIRULAS: I just have a question on that, though. Let's say that you find that the particles are more than they should be. What specifically do you do? Do you tell U.S. Steel to, you know, shut down for a couple weeks, or I mean --

SCOTT DELONEY: Okay. I can -- I can answer that question. Is it -- is it okay if I go ahead and answer that question?

LISA GEORGE: Yes. Yeah, yeah.

SCOTT DELONEY: Okay. Part of the maintenance plan, if EPA approves the maintenance plan for this area and federal action would then be taken, EPA would propose to improve the plan; they would solicit public comment. Based on that comment, they would decide whether to approve it. If they approve the plan, it becomes effective. Now, that's like a contract with the state in terms of what it is that we're required to do associated with that maintenance classification.

The maintenance plan contains two triggers which Pat had referred to. One of those triggers is what's referred to as -- as a warning -- or action level

trigger. Therefore, if we were to measure air quality that no longer meets the standard, we are required to first conduct a detailed study to determine was this, in fact, a violation of the standard, why did the violation occur, what contributed to this violation occurring, and we have to take swift regulatory action to ensure that the area complies with the standard within a time frame that the U.S. EPA determines to be based on as expeditious as practicable. That doesn't mean we have three years. It doesn't mean that we have five years from the date of a redesign -- of a designation like we have with the original designation, nonattainment designation. That means that we have to demonstrate that we are taking swift action to ensure that the control measures necessary to reattain the standard are implemented as quickly as possible. So that is what we have to do.

Now, in making that determination, when I mentioned that we conduct a study to determine how it is that we re-violated, why we re-violated, part of that is to determine what is it -- what regulatory effort is necessary on our part in order to reattain compliance with the standard. What that regulatory effort will consist of is impossible to identify at this point in time. The reason is, is that number one, we don't

anticipate re-violating the standard. Number two, if it were unexpectedly to occur in the future, it could occur 17 years from now. Well, 17 years from now, we don't know what type of control mechanism would be most cost effective in order to address the standard. Automobiles continue to improve, controls for industries, fuels -- fuel oils, coal, everything is getting -- the technology in operation efficiencies and improvements are in increasing over time. So it's -- I can't say what action we would take, although our plan lies -- lays out a series of exemplified control mechanisms that we would consider at that point in time if unexpectedly, we were required to look at it.

However, we make it very clear we would work with the community, meaning all of those that are interested in participating in this meeting tonight help us to determine what would be most effective, what would be most timely, most cost effective and most desirable on behalf of the community for us to proceed with in order to reverse that trend.

I'm sorry, Ms. George. Did you have further comments or questions?

LISA GEORGE: Just another comment is that I don't -- I don't trust the numbers that you guys have. I live here, I breathe the air, I smell it. I don't

think it's healthy, no matter what your numbers say, no matter what EPA says. There are too many people I know dying of cancer that it's just not -- I mean it's a hot spot for cancer here, and there's a reason why.

SCOTT DELONEY: Thank you. And that does -- that wraps up your comments?

LISA GEORGE: Uh-huh.

SCOTT DELONEY: Okay. Thank you. The next -- and, ma'am, did you have any other comments? I'm sorry. We do need your name to make sure that --

KAREN KIRULAS: Karen, K-a-r-i-n
K-i-r-u-l-a-s.

SCOTT DELONEY: Thank you. And then the last comment card I have this evening is Mr. Mark Strimbu?

MARK STRIMBU: I just have a couple of general comments related to the documents that you have and -- or matters of maybe seeking some clarification in your --

SCOTT DELONEY: If you wouldn't mind maybe just sitting at the front table for a moment; that way she'll be able to make sure that your comments are entered properly.

MARK STRIMBU: As I stated, these are basically to assist IDEM with maybe making some clarifications in their documents as they move forward

in their edits and revisions to it. The first comment I have is on Page 7, where it refers to the design value. It's at the top of the page. It refers to the air quality and design value for the area is the highest, the design value among all sites in the area. I think that might stand some clarifications to it if you're talking about if that is Lake and Porter County only since we're addressing specifically Lake and Porter County as opposed to the entire area that's shown in Figure 3.1?

SCOTT DELONEY: That is correct. It is solely representative of Lake and Porter Counties.

MARK STRIMBU: Okay. And on page -- on Page 23, Section 3.4 where it talks about quality assurance, it says IDEM's quality assured all data shown in the tables above. One of the tables above shows information from out-of-state monitors. I was just wondering if that statement is correct that you have gone through and quality assured the other states' data, or whether it's more like I would suspect, that you're responsible for your own data in the State of Indiana, so a clarification.

SCOTT DELONEY: We can provide that clarification, and of course, then U.S. EPA, it says then quality assuring that for us as well as what's

submitted by other states, but, yes, thank you; we'll provide that clarification.

MARK STRIMBU: And that's the extent of my comments.

SCOTT DELONEY: Okay. Thank you. Anybody else wish to speak? Sir?

JIM ALEXANDER: I didn't fill out a card.

SCOTT DELONEY: That's okay. If you can just make sure that the recorder gets your name.

JIM ALEXANDER: Yeah, My name is Jim Alexander, and I'm the air compliance manager, U.S. Steel, Gary Works, and I just want to make a couple comments, maybe -- maybe to you since you mentioned our company.

Maybe a good corollary might be the course particulate matter regulations, PM10. You know, the courser particles have been regulated for a while, which we are in attainment of. There's maintenance plans in place that if our company is found culpable in exceedence of that, we have to submit a 25 percent source wide reduction of our particulate matter within 180 days. So kind of in answer to your question, the answer to your question is -- is yes.

KARIN KIRULAS: But 180 days to be over polluting is --

JIM ALEXANDER: No. We're talking about a violation of the standard.

KARIN KIRULAS: But I mean -- but even still, what you're telling us is that -- is that, you know, we'll have a commission, and we'll look at it and, you know, within three years, we'll almost -- we'll have an answer. Well, this is --

JIM ALEXANDER: We're not talking three years; we're talking 180 days.

KARIN KIRULAS: It's still a long time.

JIM ALEXANDER: And the rule states that those will be written into our permit, so those are permanent reductions. Now, what you're talking about is overpolluting and causing an episode in this area. There's other rules that cover that --

SCOTT DELONEY: Correct.

JIM ALEXANDER: -- okay, that calls for more immediate action. But if we're talking about the standard for -- for PM10 is 150. If we cause an exceedence of that, okay, 151 and we're culpable, there's a rule that strikes directly at -- at that source, forces those reductions. So the position of U.S. Steel on this is that there's regulations in place that allow IDEM to seek attainment for counties that are in attainment of the Clean Air Act and of the standards.

And these standards had went through a lot of scientific review. And I -- I sympathize with -- with the people that breathe it; it's me and my family, also, and I know the damage that it causes. But these standards were set by scientists to designate healthy air. And then it's IDEM's job to regulate industry and point sources, and area sources and mobile sources to get us into attainment. Now, we believe that 35, or in this case, the standard 15 on an annual basis, it is too high, and what we need to do is to get that standard lower from 15 lower. Not to attack, I believe, redesignation of the area.

One other point I want to make is that if we do redesignate, not one limit at Gary Works is relaxed. It doesn't allow us to pollute more. It does change, in some cases, new source review for new and modified sources, but in some cases, like Scott pointed out, it makes it more -- more difficult for us to modify or add, because you have to stay in attainment of the standards. You have to do modeling. And in cases where your modification to your source would model in exceedence, you just can't do it. If you're nonattainment, there are ways around that, because you already have dirty air. You do have to get offsets, but sometimes offsets are bought and not really real reductions or at least

not perceived as real. So I guess that's my comments. I'm not really here to answer questions, but I will.

SCOTT DELONEY: Mr. Coleman?

MARK COLEMAN: I was just going to say it won't allow you to raise pollution with your existing facility, but if you expand, you will be able to expand --

JIM ALEXANDER: It may -- not the changes. Not the changes when you redesignate. It does change new source review, you know, new permitting, okay? But in some cases, and that would be a new or modified source out at Gary Works --

MARK COLEMAN: It would allow you to expand --

JIM ALEXANDER: No. No, it doesn't allow us to get out of new source review. In fact, in some cases, it makes it more stringent, because we cannot undertake a project that would endanger attainment, okay? If -- if we are in nonattainment, all we have to do is sign offsets for those, because we already have dirty air. So it doesn't change any limits, and it -- and it doesn't get us out of new source review. It doesn't mean we can all of a sudden start building and polluting more. It means really just the opposite, because if we endanger that, our project can't move

forward, and the rest of our source could be affected. Okay? I'm not really the expert on it, so, you know, I'm going to kind of stop there.

SCOTT DELONEY: I did want to -- I did want to make one clarification, too, that is worthwhile. Fine particles are -- are scientifically rather complex. In fact, some of the top scientists across the country have been trying to get their arms around one of the elements that Ms. Kroczeck touched on, which is organic carbon. There may -- fine particles are made up of solids as well as liquids. There are many contributing pollutants that -- that result in the formation, and one of the things that's most important to understand about fine particles as it relates to some of the concerns we've heard tonight are that it is a regional pollutant very similar in nature to ozone, although fine particles are a -- based on the size of the particulate matter, they're not at all like coarse particles. Coarse particles do not travel far. Concentrations are usually higher closer to where they are emitted.

Fine particles, we monitor a network that's located throughout the state; we have a number of what are referred to as background monitors. So in other words, they identify what the background concentrations coming into counties like Lake are, representative of

what would be measured in Jasper or Newton Counties. On an average, comparing our background monitors to what we're measuring in urban areas, 97 percent of the fine particle mass is attributed to background levels, not based on what's being contributed by sources within the area. What that level is referred to is urban excess, meaning within this urban area that we measure air quality for, less than three percent of the total measured fine particles are actually attributable to emission sources within the area. That's all emission sources: diesel engines, coal combustion, automobiles. So with that --

MARK COLEMAN: Are these fine particles, or what are these (indicating)?

SCOTT DELONEY: What you're looking at there are not necessarily fine particles.

MARK COLEMAN: Well, they go miles and miles all the way from the southern tip of Lake Michigan; you can see it when you're in Chicago in a high-rise; you can see it going all the way as far as the eye can see. So if they're not fine particles --

SCOTT DELONEY: Well, they're -- they're -- what fine particles represent is microns of 2.5 in size or less --

MARK COLEMAN: That means nothing to me.

SCOTT DELONEY: I understand. But what I did want to try to get at is, is that for particulate matter, you have total suspended particulates, you have coarse particulates, which are ten microns in size, and then you have these fine particles. The fine particles standard is just one of several criteria pollutants defined and controlled by the Clean Air Act, okay? So we have different standards that have to be met for particulate matter. We have standards that have to be met for ozone, lead, carbon monoxide, and other pollutants. We also have air toxins and -- and pollutants like mercury that are regulated through other means and mechanisms as well. So when you look at what comes out of a stack at a given industrial source, you're looking at a complex mixture of a variety of regulated pollutants. It's not just fine particles.

MARK COLEMAN: You mentioned the Clean Air Act a few times, and I know the Clean Water Act had a stipulation for eliminating all pollution going into the water at some certain point, and I was wondering, is there anything in the Clean Air Act to eliminate all emissions to your knowledge?

SCOTT DELONEY: No. That -- that is not at all a component of the Clean Air Act. I think that as environmental regulators, we'd all like to strive for a

goal where zero, you know, emission levels are, you know, to be achieved, but, you know, I think at the time that the Clean Air Act was last amended by Congress in 1990, it was recognized that that's not an achievable goal just based on the energy needs of this country alone.

MARK COLEMAN: But it's -- it is possible.

SCOTT DELONEY: That is something that would -- I think would be more appropriate for the U.S. Environmental Protection Agency to respond to, because obviously, a national control program tied to an international control program would be necessary especially based on, you know, the impact of transport.

With that, I did want to make sure everybody knows Pat and I are going to remain here as long as you'd like us to be to answer any additional questions you have. Are there any additional questions specifically relevant to the redesignation request and maintenance plan? If not, I was going to turn it over to Pat so she could close this, and we could let the recorder head her way for the evening for other plans.

Ms. George?

LISA GEORGE: Just for the record, I want to make sure that I'm understanding this clearly and that I have your word that the total overall emissions allowed